

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-9

AN ACT CONCERNING THE ENVIRONMENT, CLIMATE AND SUSTAINABLE
MUNICIPAL AND STATE PLANNING, AND THE USE OF NEONICOTINOIDS

Title: AND SECOND-GENERATION ANTICOAGULANT RODENTICIDES.

Vote Date: 3/14/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2025

File No.: 418

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SPONSORS OF BILL:

Environment Committee

Co-Sponsors:

Sen. Martin M. Looney, 11th Dist.
Sen. Saud Anwar, 3rd Dist.
Sen. Christine Cohen, 12th Dist.
Sen. Sujata Gadkar-Wilcox, 22nd Dist.
Sen. Jan Hochadel, 13th Dist.
Sen. Julie Kushner, 24th Dist.
Sen. Rick Lopes, 6th Dist.
Sen. James J. Maroney, 14th Dist.
Sen. Douglas McCrory, 2nd Dist.
Sen. Norman Needleman, 33rd Dist.
Sen. Derek Slap, 5th Dist.
Rep. Michael "MJ" Shannon, 117th Dist.
Rep. Johnathan Jacobson, 148th Dist.

Sen. Bob Duff, 25th Dist.
Sen. Jorge Cabrera, 17th Dist.
Sen. Mae Flexer, 29th Dist.
Sen. Herron Gaston, 23rd Dist.
Sen. Paul Honig, 8th Dist.
Sen. Matthew L. Lesser, 9th Dist.
Sen. Ceci Maher, 26th Dist.
Sen. Martha Marx, 20th Dist.
Sen. Patricia Billie Miller, 27th Dist.
Sen. MD Rahman, 4th Dist.
Sen. Gary A. Winfield, 10th Dist.
Rep. Andre Bumgardner, 41st Dist.
Rep. Brandon Chafee, 33rd Dist.

REASONS FOR BILL:

SB 9 was introduced to deal with climate change in the State of Connecticut. It provides municipalities certain authorities concerning climate resiliency efforts. SB 9 also addresses the wildlife casualties due the use of Neonicotinoids and Second-Generation Anticoagulant Rodenticides

Substitute Language LCO 629 Removed Lines 151-153 of the underlying bill, which would have allowed the DCP Commissioner to impose fines of up to \$1,000 for each violation of Section 5 (about landlord flood disclosure notices to tenants). Also, the substitute language made technical changes in Lines 829 and 1041.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, CT Department of Energy & Environmental Protection

DEEP Supports the purpose of this bill but comments on the separate sections individually. **Sections 1-32** and **35** the Department strongly supports. Important changes, proposes amendments to the Connecticut Coastal Management Act and Flood Management Act that promote resilience as a top priority at the state and municipal levels. Supports **Section 33** which incorporates the Department's recommendation of reclassification of second-generation anticoagulant rodenticides for restricted use. **Section 34** The Department suggest changes to Line 1581 (2) On and after January 1, 2026, no person shall {sell, possess or } use any pesticide that contains any neonicotinoid, as defined in section 22-61k, except that such pesticide may be used on an agricultural plant{or to eliminate an invasive invertebrate pest} if the Commissioner of DEEP, after consultation with the director of the Connecticut Agricultural Experiment Station, determines that no other effective control option is available to eliminate an invasive invertebrate pest. This suggested edit removes "sell/posses' language, which would otherwise result in an unintended consequence of prohibiting sale and possession of neonicotinoids for allowed and emergency uses.

Paul Aresta, Executive Director, Connecticut Council on Environmental Quality

As stated in the Council's annual report, **Environmental Quality in Connecticut**, the trend over more than sixty years suggest that Connecticut's climate is getting warmer and precipitation is increasing, and the rising of sea level is increasing.

- The Council SUPPORTS the provisions of Section 21 that would require the Water Planning Council to consider the potential impact of climate change in the next periodic update to the state water plan.
- The Council SUPPORTS the provisions of Section 32 that would require priority consideration in the solicitation, selection and design of infrastructure projects designed to increase resilience and that (1) utilize natural and nature-based solutions intended to restore, maintain or enhance ecosystem services and processes that maintain or improve on environmental quality in or adjacent to the district, or (2) address the needs of environmental justice communities,
- The Council SUPPORTS the provisions of Section 34 that would reduce the use of any pesticide that contains any neonicotinoid, except for pesticides used on an agricultural plant or to eliminate an invasive invertebrate pest if the Department of Energy and Environmental Protection (DEEP) determines that no other effective control option is available. As noted in the findings of a recent study conducted by the Center for Environmental Sciences and Engineering (CESE), University of Connecticut, Neonicotinoids in Connecticut Water,

NATURE AND SOURCES OF SUPPORT:

Eric George, Esq., President of the Insurance Association of Connecticut
Kristina Baldwin, Esq., VP of the American Property & Casualty Insurance Association
Christopher Nicolopoulos, Esq., Senior Regional VP of the National Association of Mutual Insurance Companies.

They offered support for the intent of SB 9 but stating they have concerns. Approximately 90% of all U.S. natural disasters involve flooding of some form and that most property owners are unaware that their insurance does not cover flood damage and that very few who own property located outside of flood zones have obtained flood insurance through the National Flood Insurance Program. The Industries concern is with Section 1(a) that would require insurance brokers to offer flood insurance coverage to prospective policyholders upon application for insurance. This is a problem because not all insurance carriers offer flood insurance coverage. The other issue is requiring insurance brokers to obtain an affirmative declination from such prospective policyholders if they decline flood insurance coverage. This is a problem for those insurers who do not offer flood insurance. Finally, they have concerns with Section 1(b) which would mandate that insurers include a statement on the declaration page of homeowner's insurance policies that the policy does not cover flood damage. They fully agree that the public needs to be aware they are not covered for floods and should purchase flood insurance but believe it would be more effective to engage in a public awareness campaign.

Keith B. Bishop, President, Bishop's Orchards

As a sixth -generation family farmer he is aware of and has concerns with threat of rodenticides pose to non-targeted species. They support the bill that restricts the use of these products to certified pest applicators. Mr. Bishop objects to Section 34, (2) and (3) as drafted. He believes that this will negatively impact Connecticut agriculture by limiting seed choices, forcing the use of less effective pest control methods, and hindering climate change mitigation through cover crop use.

Senator Rob Duff, 25th District

Senator Duff supports the section of SB9 that will restrict the use of second-generation anticoagulant rodenticides that cause death to are wildlife and domestic animals. He has seen firsthand the harmful effects of these chemicals. Given the harmful effects along with the availability of safer alternatives, Senator Duff believes that there is no justification to using nonagricultural use of pesticides that contain neonicotinoids. Senator Duff supports the portions of the bill which are part of the Governor's Resiliency Plan.

Betsy Gara, Executive Director, COST

COST supports the intent of SB 9 and recognizes that towns are undertaking a variety of measures to improve resiliency, including incorporating resiliency into planning and conservation efforts but despite these efforts they have concerns that SB 9 includes unfunded mandates that will impose significant costs on municipalities at a time with cutbacks and rising costs associated with the delivery of services.

Anthony Giovanni, State Policy Affairs, Connecticut Pest Control Association

The Connecticut Pest Control Association appreciates that SB 9 recognizes that Professional and Licensed applicators need neonicotinoids to manage bedbug infestation and termite treatment and the need for second-generation anticoagulant rodenticides to manage rodent population.

Senator Martin M. Looney, 11th District.

Senator Looney's testimony supports 3 sections of the bill. Assisting Connecticut homebuyers and renters be aware that their homeowner's insurance most likely does not cover for flood damage, and they need to purchase additional insurance even if they are not in a flood zone. Secondly the bill addresses the need to implement long term resiliency strategies. It would require municipalities to (1) submit geospatial data on all culvers and bridges. (2) identify and address sea level rise effects to current evacuation and hazards mitigation planning. POCD statues are additionally amended to include the impacts of natural disaster, hazards and climate change and the existing and anticipated threats from these events to the municipality. Also state funds will be prohibited for projects that are within the floodway or within coastal high hazard areas. SB 9 requires DEEP and PURA to review their regulations and revise such regulations to include the most current projections on precipitation, temperature or other conditions that impact water quality, quantity, and distribution. Also, municipalities may establish "resiliency improvement districts" either unilaterally or in combination with contiguous municipalities. Lastly, the bill takes necessary steps to protect against the harmful effects of pesticides.

Denise Savageau, President, Connecticut Association of Conservation Districts

CACD was a member of the Governor's Council on Climate Change in the Working and Natural Lands Work Group. SB 9 is moving resiliency forward that the in a comprehensive manner. They do have comments on certain sections of the bill. Section 6 addresses flooding and updates legislation regarding coastal zone. CACD wants to ensure that any activity requiring fill in the coastal flood zones is not exempt from local and state permitting. Also, several sections language say, "not limited to", they would include drought, wildfires, and salt-water intrusion to the list. In Section 21 they strongly recommend that SWP be updated every five years and that funding be allocated to begin this process this year.

Eliza Paterson, Senior New England Policy Associate, Working Lands Alliance

SB 9 would include the authority over planning and development as it pertains to the protection and preservation of agricultural lands. This is particularly beneficial for municipalities with agricultural communities and farm business as farmland continues to be lost due to increasing development pressures in the state.

Charles J Rothenberger, Director of Government Relations

Bill Lucey, Long Island Soundkeeper, Save the Sound

Save the Sound specifically supports the nature-based solutions as the first consideration to flooding, storm surge and sea level rise mitigation. First, we shouldn't be building in floodplains, riparian zones or within the anticipated sea level range. SB 9 set the path that we won't have to worry when a hurricane passes through because the houses will be built to the proper code, the only damage will be waves causing shifting sand dunes and the floodwaters will stay in the wetlands and bioswales that double as parks and open space and the urban streets will be covered in tree canopies and lined with bioswales. They also

support the section on pesticide's because banning those uses will promote a healthy ecosystem.

Ruth Canovi, Director, American Lung Association, Connecticut

The American Lung Association supports that SB 9 recognizes the inextricable link between climate resilience and public health and will lead to cleaner air, healthier communities, and a more sustainable future because climate change-driven air pollution worsens respiratory illness, increasing hospitalizations and premature deaths.

Randy Collins, Associate Director of Public Policy for CCM

CCM's testimony states that Connecticut's towns and cities are already working to mitigate flood risk and promote climate resiliency at the local, and regional levels and look to build upon this existing work through increased coordination at regional, state, and federal level. CCM conducted a study and found that the most common hurdle to improving climate resiliency and undertaking flood mitigation efforts at the local level is a lack of funding. Obtaining funding for flood mitigation projects is a major barrier, especially for smaller and mid-sized towns in Connecticut.

Terri Eickel, Executive Director, IREJN

The interreligious Eco-Justice Network is faith-based environmental organization that works with religious communities in Connecticut on environmental issues, such as climate change, pollution, and biodiversity loss. They support SB 9 with 2 changes. They recommend that the Environment Committee replace the language for the use of Neonicotinoids and Second-Generation Anti-Coagulant Rodenticides with the language in HB 6915 and HB 6916.

The following organizations submitted testimony in support of SB 9 with many supporting a language change to HB 6915 and HB 6916

Marc Gonzalez, Program Coordinator, Conservation Law Foundation

Nathan Frohling, Director of External Affairs, The Nature Conservancy

Amy Blaymore Paterson, Executive Director, Connecticut Land Conservation Council

Francis R. Pickering, Executive Director, WestCOG

Domenic Romanello, PhD, Associate Director of Conservation & Policy

Alan J. Siniscalchi, President, Connecticut Association of Conservation and Inland Wetlands Commissions, Inc.

Al Water, Deputy Mayor Town of Cromwell

Louise Washer, President, Norwalk River Watershed Association

Senate Democrats

Eric Goldberg, Sierra Club Connecticut

Robert LaFrance, Director of Policy, CT National Audubon Society

Over 130 Residents sent in Testimony in Support of SB 9

NATURE AND SOURCES OF OPPOSITION:

Jon Gaeta, Senior Director, Government Affairs, RISE **Stephanie Pizzoferrato, CropLife American**

Rise and CropLife American oppose SB 9 because of the prohibitions on neonicotinoids and rodenticides. They are concerned that this bill, if passed, would supersede existing Federal and State law, with the unintended consequences that would impact integrated pest management, licensed professionals that operate in the green industry, Connecticut farmers, agricultural output and climate resilient farming practices, resistance and invasives management, and would necessitate uses of more antiquated, less efficacious products.

Tracy McDougall, Executive Director, The Connecticut Farm Bureau Association

The Connecticut Farm Bureau Association specifically submitted testimony on the section covering neonicotinoids and rodenticides. They oppose Section 34, which restricts the use of neonicotinoid insecticides. Connecticut Farm Bureau has a long-standing position that the regulation of pesticides should remain within the currently established jurisdiction of the Environmental Protection Agency on the federal level and Department of Energy and Environmental Protection within Connecticut. We should not be restricting or banning on a State-by-State bases. Connecticut farmers use Integrated Pest Management which is an ecosystem-based strategy that focuses on long term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of managing only the target organism. More than 95% of corn seed sown in the US is treated with a neonicotinoid insecticide. Therefore, any ban on the use of neonicotinoid treated corn seed would severely impact every dairy farmer in every sweet corn grower in the state.

Susan Pronovost, Executive Director, Connecticut Greenhouse Growers Association

The CT Greenhouse Association has major concerns with the neonicotinoid section of the SB 9. Small scale farmers often must spot treat crops within the greenhouse with neonicotinoid-based insecticide to stop an infestation. Aphids are born pregnant and each day (5 per day), also gives birth to five more nymphs. The population will have exploded, and the greenhouse crops will be lost if a farmer follows the process outlined in Section 34, Subsection 2. Spot treatment is the only answer to halting an infestation before it grows out of control.

Jim Perras, Home Builders and Remodelers Association of Connecticut

HBRA of CT opposes SB 9 unless amended:

Key Concerns for Connecticut's Homebuilding Industry

1. New Regulatory Burdens on Housing Development
The bill includes broad mandates on climate resilience and hazard mitigation planning, which could lead to increased costs for residential construction. Municipalities may impose additional zoning and permitting hurdles, delaying housing projects and exacerbating Connecticut's existing housing crisis.

2. Restrictions on Development in Flood-Prone Areas o Section 8 of the bill prohibits the use of state funds to subsidize residential construction in floodways and coastal hazard zones, even when modern floodproofing techniques can make homes safe. o Instead of an outright prohibition, the state should incentivize climate-smart building techniques that allow housing development while mitigating risks.
3. Potential Land-Use Restrictions That Could Reduce Housing Supply o Sections related to coastal site planning (Sections 6 and 7) grant new powers to the Department of Energy and Environmental Protection (DEEP) to review local site plans. o This could slow down approval processes for new developments and add uncertainty for builders investing in Connecticut's housing market.
4. Impact on Connecticut's Housing Crisis o Connecticut currently has a housing shortage of at least 110,000 units (CT Mirror). o Overly broad environmental regulations could further constrain housing production, leading to higher home prices and rents, making homeownership and rental housing even less affordable

Travis Wattle Assistant Vice President of Government Relations, Big I Connecticut

Big I Connecticut is a statewide trade association representing more than 150 independent insurance agent and broker locations. They oppose Section 1(a) of SB 9. They believe that Section 1(a) must be weighed against the increased customer burden, constrained agency resources and the diminishing effectiveness of addition paperwork and signatures.

Gene Harrington, Senior Director, State Government Affairs, Agriculture&Environment

BIO is a Washington, DC based trade group representing more than 1,100 biotechnology companies – including some based in Connecticut. BIO is extremely concerned about Section 34 even with the proposed exemption for agriculture. They still feel the language is confusing and unworkable and ask the Committee to work with Connecticut Commissioner of Agriculture Bryan Hulburt on substitute language that more clearly protects the use of this valuable tool for Connecticut farmers.

Betsy Gara, Executive Director, Connecticut Water Works Association

CWWA is concerned with the provisions in Section 22 of SB 9 because it gives the agencies broad latitude to update the regulations without requiring consultation with other agencies and stakeholder groups as outlined in the underlying statute or which occurred in practice. They do recognize that the regulations would be undated in accordance with the Uniform Administrative Procedures Act, but this does not ensure the same level of collaboration that is needed to develop balanced approached to regulating water supplies. Also revising various water supply regulations is likely to impose significant cost burdens on water utilities, farmers, businesses, and other water users. CWWA would like these provisions deleted from SB 9. CWWA has concerns with Section 21. WPC has concluded that is has limited resources available to update the plan to fully address climate change impacts, they would request rather than requiring the plan to be updated to address climate change, which the WPC may already do, changes should consider allocating resources to the WPC to ensure that it may update and implement the State Water Plan

4 Connecticut residents sent in Testimony in Opposition to SB 9

Reported by: Judy Ganswindt

Date: March 25, 2025